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**U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

RHONDA HARRISON,

Case No.: 07-05529 JF RS

Plaintiff,

V.

CURTIS O. BARNES, P.C., CURTIS O. BARNES, FORTIS CAPITAL, LLC, and DANIEL RUPP,

**REQUEST TO CONTINUE FEBRUARY  
29, 2008 CASE MANAGEMENT  
CONFERENCE and [PROPOSED]  
ORDER**

Defendants.

Defendants failed to timely answer the Complaint and the Clerk entered a Default against all defendants on January 24, 2008. The case was reassigned to the Hon. Jeremy Fogel on February 7, 2008.

Plaintiff will serve deposition subpoenas on the defaulted defendants for purposes of fixing punitive damages. Plaintiff will then move for a default judgment from the Court. Thus, plaintiff respectfully requests the Court continue the February 29, 2008 Case Management Conference for 90 days.

Furthermore, I see that today Defendants filed a Motion to Set Aside the Defaults, despite not having met and conferred on the hearing date as is required by this Court's Standing Order. Thus, continuing the CMC at this time is appropriate.

1  
2 Date: 2/19/08

/s/Ronald Wilcox  
Ronald Wilcox, Attorney for Plaintiff

**[PROPOSED] ORDER**

The Court hereby continues the February 29, 2008 Case Management Conference to  
May 30, 2008.

IT IS SO ORDERED.

Date: 2/22/08

  
HON. JEREMY FOGEL